HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 682/2007

PETITIONER Deepak Kumar Shrivastava, S/o Late Shri B.M. Shrivastava, Aged about 52 years, District Prosecution Officer, Durg (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh & Others Through – The Secretary, Home Department, D.K.S. Bhawan, Raipur (C.G.)
2. N.N. Chaturvedi, District Prosecution Officer, Dantewada, D.P.O. Office Dantewada (C.G.)
3. R.K.S. Thakur, District Prosecution Officer, Raipur, D.P.O. Office Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Ajay Shrivastava, counsel for the petitioner.

Shri Yashwant Singh, Govt. Advocate for the State/respondent No.1.

None for respondent No.2.

Shri R.K. Kesharwani, Counsel for respondent No.3.

ORAL ORDER
(21.09.2007)

SUNIL KUMAR SINHA, J

I.A. No.4:

Heard.

This is an application for withdrawal of the petition with a liberty to make representation.

This application is opposed by learned counsel for respondent No.3 on the ground that respondent No.3 has already joined at the transferred place.

Learned counsel for respondent No.3 submits that so far as withdrawal of the petition is concerned, he has no objection, but if the liberty is granted by the Court that may create complications in future, because respondent No.3 has joined.

(66)

Be that as it may, when the petitioner is praying for withdrawal of the petition simply with liberty to file a representation, the same will not affect the legal rights of any person, which has accrued in his favour in accordance with law.

I do not find any substance in the objection raised by learned counsel for respondent No.3.

The application is allowed.

The petition is disposed of as withdrawn with the aforesaid liberty granted in favour of the petitioner.

Sd/-
Sunil Kumar Sinha
Judge

Shyna